

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Application of Southern California Edison Company (U 338-E) for a Commission Finding That its Procurement-Related and Other Operations for the Recorded Period July 1 Through December 31, 2003 Complied with its Adopted Procurement Plan; for Verification of its Entries in the Energy Resources Recovery Account; for Recovery of a Nuclear Unit Incentive Reward of \$9.7 Million; and for Recovery of \$4.9 Million Recorded in the Electric Energy Transaction Administration Memorandum Account.

Application 04-04-005  
(Filed April 1, 2004;  
Petition for Modification  
Filed January 11, 2006)

**ADMINISTRATIVE LAW JUDGE'S RULING  
ON PETITION TO MAINTAIN CONFIDENTIALITY OF IDENTIFIED  
INFORMATION PURSUANT TO ORDERING PARAGRAPH 7  
OF DECISION 05-02-006**

By its January 11, 2006 petition, Southern California Edison Company (SCE) seeks to maintain the confidentiality of the information currently protected by Decision (D.) 05-02-006 until the Commission establishes a consistent treatment of similar information among the major energy utilities in Rulemaking (R.) 05-06-040.<sup>1</sup>

Pursuant to Ordering Paragraph 7 of D.05-02-006 and Commission Resolution ALJ-164, dated September 16, 1992 this petition should have been

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<sup>1</sup> The major energy utilities consist of Pacific Gas and Electric Company, SCE, and San Diego Gas & Electric Company.

filed as a motion for consideration by the Law and Motion Judge and is being treated as such.

There is no opposition to this motion. The grant of this motion would not materially change the requirements of D.05-02-006 because the proposed motion merely keeps confidential information sealed until the Commission establishes a consistent treatment of procurement information. However, a comparison of the confidential information in this proceeding with the information being considered in R.05-06-040 shows that the confidential status of all the information in this proceeding will not be resolved in the rulemaking proceeding.

Therefore, all information placed under seal in this proceeding shall remain sealed for up to an additional year not to exceed February 10, 2007. To the extent a decision is issued in R.05-06-040 that affects similar information sealed in this proceeding prior to February 10, 2007, such information shall be treated in conformance with that decision. All remaining sealed information in this proceeding at February 10, 2007 shall become public on that date. Consistent with Ordering Paragraph 7 of D.05-02-006, SCE may file a motion stating the justification for further withholding of the sealed information from public inspection.

Good cause appearing and pursuant to Ordering Paragraph 7 of D.05-02-006 and Resolution ALJ-164, **IT IS RULED** that:

1. The motion of Southern California Edison Company (SCE) to maintain confidentiality of identified information pursuant to Ordering Paragraph 7 of Decision 05-02-006 is granted.
2. To the extent that a decision is issued in Rulemaking 05-06-040 prior to February 10, 2007 that affects similar information sealed in this proceeding, such

similar information shall be treated in conformance with that decision. All remaining sealed information in this proceeding on February 10, 2007 shall become public on that date or on further order or ruling of the Commission or the Administrative Law Judge (ALJ) then designated as the Law and Motion Judge.

3. If SCE believes that further protection of sealed information is needed beyond February 10, 2007, it may file a motion stating the justification for further withholding of the sealed information from public inspection. This motion shall be filed no later than 30 days before February 10, 2007.

Dated February 27, 2006, at San Francisco, California.

/s/ MICHAEL J. GALVIN

Michael J. Galvin  
Administrative Law Judge

**CERTIFICATE OF SERVICE**

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling on Petition to Maintain Confidentiality of Identified Information Pursuant to Ordering Paragraph 7 of Decision 05-02-006 on all parties of record in this proceeding or their attorneys of record.

Dated February 27, 2006, at San Francisco, California.

/s/ ELIZABETH LEWIS

Elizabeth Lewis

**N O T I C E**

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

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